

## AFFIDAVIT OF SERVICE

<b>Case:</b> 4:23-cv-00194-ALM	<b>Court:</b> IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS	<b>County:</b>	<b>Job:</b> 8819492 (4:23-cv-00194-ALM)
<b>Plaintiff / Petitioner:</b> BEHAVIOR ANALYST CERTIFICATION BOARD, INC.,		<b>Defendant / Respondent:</b> MICHAEL MOATES, an individual; MISTY KIESCHNICK, an individual; and THE GLOBAL INSTITUTE OF BEHAVIORAL PRACTITIONERS AND EXAMINERS.	
<b>Received by:</b> Stealth Process		<b>For:</b> Hall, Render, Killian, Heath & Lyman, P.C.	
<b>To be served upon:</b> MICHAEL MOATES,			

I, JAMES HATCHER, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

**Recipient Name / Address:** MICHAEL MOATES,, 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106

**Manner of Service:** Personal/Individual, May 22, 2023, 11:05 am CDT

**Documents:** Summons and Complaint (Received Apr 26, 2023 at 9:48am CDT)

**Additional Comments:**

1) Unsuccessful Attempt: May 5, 2023, 5:14 pm CDT at 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106  
4-5 pm

I arrived at 3:55 pm. I saw a package at the door and took a peak and it's from Chewys listed for the subject. Also a vehicle matching the description of subject vehicle was present but this vehicle has dealer tags. See pic.

2) Unsuccessful Attempt: May 22, 2023, 8:01 am CDT at 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106

Arrived: 6:56 AM

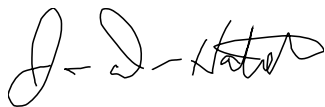
7am to 8am - No activity. Subjects vehicle is present

8am to 9am - No activity

9am- 10am No activity

3) Successful Attempt: May 22, 2023, 11:05 am CDT at 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106 received by MICHAEL MOATES,. Age: 28; Ethnicity: Caucasian; Gender: Male; Weight: 250; Height: 5'7"; Hair: Brown; Eyes: Brown; Other: Possibly wears glasses Vehicle: 2023 KIA Forte; Sedan 4D 5P (orange and black); Plate #: SVV3023;

At approx 10:56 am I observed the subject opening his blinds on his back door. Because the subject has ssen me and my vehicle from my last attempt, I left the parking space where I was parked and moved it to behind the building where the subject couldn't see me. The subject has a dog and I had a hunch it was time to walk his dog, I proceeded around the office to be undetected from the subject. I peeked around the corner and observed the subject walking his dog by the stairs closest to the subjects upstairs residence. As I came around the corner with my body cam recording. I approached the subject who saw me and started to run upstairs. I ran upstairs and called his name. He turned around and looked at me and he then proceeded to ignore me and go inside his residence. Right before he made it inside I threw the papers in front of him to drop served him. The papers actually went over his head but never did the papers hit him. I told him he was served and I have it on video. As I walked away the subject claimed I assaulted him simply by throwing the papers up the stairs I front of him and he said he had a ring camera too. Neither my camera or his camera will show an assault of any kind.



05/22/2023

JAMES HATCHER  
PSC 18928 EXP 12/31/2024

Date

Stealth Process  
4425 W AIRPORT FWY., SUITE 356  
IRVING, TX 75062  
817-363-0019

## UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

BEHAVIOR ANALYST CERTIFICATION  
BOARD, INC.,*Plaintiff(s)*

v.

MICHAEL MOATES, an individual; MISTY  
KIESCHNICK, an individual; and THE GLOBAL  
INSTITUTE OF BEHAVIORAL PRACTITIONERS  
AND EXAMINERS.*Defendant(s)*

Civil Action No. 4:23-cv-00194-ALM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Michael Moates  
2700 Colorado Blvd. Apt 1526  
Denton, TX 76210

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Brandon Kulwicki  
Hall Render Killian Heath & Lyman, PC  
603 Munger Avenue, Suite 350  
Dallas, TX 75202

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 3/13/23

CLERK OF COURT

*David A. O'Toole*

Signature of Clerk or Deputy Clerk

Civil Action No. 4:23-cv-00194-ALM

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: